

DRAFT UNAPPROVED
VIRGINIA BOARD OF MEDICINE
FORMAL HEARING MINUTES OCTOBER 19, 2018
Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 201
Henrico, VA

CALL TO ORDER: A panel of the Board was called to order at 9:07 a.m.

MEMBERS PRESENT: Syed Ali, M.D., Chair
David Archer, M.D.
Lori Conklin, M.D.
Manjit Singh Dhillon, M.D.
Alvin Edwards, Ph.D.
Jane Hickey, J.D.
Brenda Stokes, M.D.
Kenneth Walker, M.D.

BOARD COUNSEL: Charis Mitchell, AAG

STAFF PRESENT: Jennifer L. Deschenes, Deputy Executive Director, Discipline
Jennie F. Wood, Case Manager, Discipline

COURT REPORTER: Holly Bush, Farnsworth & Taylor Reporting LLC

PARTIES ON BEHALF OF COMMONWEALTH: Lori Pound, Adjudication Specialist

COMMONWEALTH WITNESSES: Pamela Twombly, Deputy Director of Enforcement, DHP

MATTER SCHEDULED: **Randall Ochs Krawcheck, D.O. License No.: 0102-201567**
Case No.: 187680

DISCUSSION: Dr. Krawcheck appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated August 28, 2018. Dr. Krawcheck was represented by Michael Goodman, Esquire.

The Board received evidence and sworn testimony from witnesses called by the parties and from Dr. Krawcheck regarding his petition for reinstatement of his license.

CLOSED SESSION: Upon a motion by Dr. Archer, and duly seconded by Dr. Edwards, the Board voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Krawcheck. Additionally, he moved that Ms. Mitchell, Ms.

Deschenes and Ms. Wood attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

DECISION:

Upon a motion by Dr. Edwards, and duly seconded by Dr. Walker, the Board made certain findings of fact and conclusions of law and voted to reinstate Dr. Krawcheck's license.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 11:33 a.m.

The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.

Syed Ali, M.D., Chair

William L. Harp, M.D., Executive Director

Date

Date

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CALL TO ORDER: A panel of the Board was called to order at 9:09 a.m.

MEMBERS PRESENT: Karen Ransone, M.D., Chair
James Arnold, D.P.M.
David Giammittorio, M.D.
L. Blanton Marchese
Jacob Miller, D.O.
David Taminger, M.D.
Martha Wingfield

BOARD COUNSEL: Erin Barrett, AAG

STAFF PRESENT: William L. Harp, M.D., Executive Director of Discipline
Tamika Hines, Case Manager, Discipline

COURT REPORTER: Wanda Blanks, Farnsworth & Taylor Reporting, LLC

PARTIES ON BEHALF OF COMMONWEALTH: Julia Bennett, AAG
Erin Weaver, Adjudication Specialist

COMMONWEALTH WITNESSES: Marcella Luna, Sr. Investigator, DHP
Virginia State Trooper D.T. Shrewsbury
Officer Samuel Mitchell (by phone)
Officer Jason O'Brien
Officer Cory Ray
Patient A (by phone)
Bryan A. Rhodes

RESPONDENT WITNESSES: Stephen N. Xenakis, M.D. (by phone)
Chad J. Kelland, Psy.D. (by phone)
Meleika Fedorko
Vickie Costello
Elaina Rhodes
Caitlan Smith

MATTER SCHEDULED: Joshua Douglas Rhodes, D.C. License No.: 0104-557037
Case No.: 177467

DISCUSSION: Dr. Rhodes appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated August 29,

2018. Dr. Rhodes was represented by Coreen Silverman, Esquire.

The Board received evidence and sworn testimony from witnesses called by the parties and from Dr. Rhodes regarding the allegations in the Notice.

CLOSED SESSION:

Upon a motion by Dr. Taminger, and duly seconded by Dr. Arnold, the Board voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Rhodes. Additionally, he moved that Ms. Barrett, Dr. Harp and Ms. Hines attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

DECISION:

Upon a motion by Dr. Miller, and duly seconded by Dr. Arnold, the Board made certain findings of fact and conclusions of law and voted to place Dr. Rhodes license on suspension stayed upon entry of the Health Practitioner's Monitoring Program.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 7:56 p.m.

The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.

Karen Ransone, M.D., Chair

William L. Harp, M.D., Executive Director

Date

Date

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CALL TO ORDER: A panel of the Board was called to order at 11:52 a.m.

MEMBERS PRESENT: Kenneth Walker, M.D., Chair
David Archer, M.D.
Lori Conklin, M.D.
Manjit Singh Dhillon, M.D.
Alvin Edwards, Ph.D.
Jane Hickey, J.D.
Brenda Stokes, M.D.
Syed Ali, M.D.

BOARD COUNSEL: Charis Mitchell, AAG

STAFF PRESENT: Jennifer L. Deschenes, Deputy Executive Director, Discipline
Jennie F. Wood, Case Manager, Discipline

COURT REPORTER: Holly Bush, Farnsworth & Taylor Reporting LLC

PARTIES ON BEHALF OF COMMONWEALTH: Wayne Halblieb, Sr. AAG

COMMONWEALTH WITNESSES: Anna Badgley, Sr. Investigator, DHP

MATTER SCHEDULED: Michael Strut, M.D. License No.: 0101-239227
Case No.: 189666

DISCUSSION: Dr. Strut appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated September 18, 2018. Dr. Strut was represented by Stephen Rosenthal, Esquire.

The Board received evidence and sworn testimony from witnesses called by the parties and from Dr. Strut regarding his petition for reinstatement of his license.

CLOSED SESSION: Upon a motion by Dr. Stokes, and duly seconded by Dr. Edwards, the Board voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Strut. Additionally, she moved that Ms. Mitchell, Ms.

Deschenes and Ms. Wood attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

DECISION:

Upon a motion by Ms. Hickey, and duly seconded by Dr. Edwards, the Board made certain findings of fact and conclusions of law and voted to reinstate the license of Dr. Strut.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 1:51 p.m.

The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.

Kenneth Walker, M.D., Chair

William L. Harp, M.D., Executive Director

Date

Date